

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F044164      People v. Sutton**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F044164      People v. Sutton**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045239      People v. Hatcher**

Appellant's petition for rehearing filed herein is denied.

**F047186      Michelle L. v. The Superior Court of Stanislaus County; Stanislaus Co. Community Services Agency**

Pursuant to the terms of this court's order of March 3, 2005, and the failure of any party to request oral argument, the oral argument date of March 29, 2005, is vacated.

This matter is deemed submitted on the date of this order.

**F044604      People v. Cervantes**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F044604      People v. Cervantes**

The trial court is directed to amend the clerk's transcript and the abstract of judgment to reflect that the defendant does not pay a fine pursuant to section 290.3. The court shall forward the amended abstract of judgment to the Department of Corrections. The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045370      People v. Godfrey**

The judgment is affirmed. Buckley, Acting P.J.

We concur: Wiseman, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044824      People v. San Miguel**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045175      People v. James**

The matter is remanded to the trial court for the limited purpose of permitting the sentencing court to exercise its discretion as to the Penal Code section 12022 subdivision (c) firearm enhancement. In all other respects, the judgment is affirmed. Harris, J.

We concur: Vartabedian, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044369      People v. Gibson**

The judgment is affirmed. Buckley, Acting P.J.

We concur: Wiseman, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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**F046287      People v. Conley**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046966      In re Seth U., a Minor**

The juvenile court's November 8, 2004, jurisdictional findings and orders as well as its December 13, 2004, dispositional findings and orders are reversed. The matter is remanded to the juvenile court with directions to consider and rule upon the parties' stipulation to dismiss with prejudice the petition filed on September 21, 2004. The Court Administrator/Clerk of this court is directed to immediately issue remittitur herein.